
HOUSE BILL No. 1658

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-22-2-29; IC 13-14-9-2.5.

Synopsis: IDEM rules. Prohibits adoption by an environmental rulemaking board of a proposed rule more stringent than federal law before review of the proposed rule by the environmental quality service council.

Effective: July 1, 2003.

Wolkins

January 21, 2003, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1658

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-22-2-29 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 29. (a) After an agency
3 has complied with sections 26, 27, and 28 of this chapter, the agency
4 may:
5 (1) adopt a rule that is identical to a proposed rule published in
6 the Indiana Register under section 24 of this chapter;
7 (2) subject to subsection (b), adopt a rule that consolidates part or
8 all of two (2) or more proposed rules published in the Indiana
9 Register under section 24 of this chapter and considered under
10 section 27 of this chapter;
11 (3) subject to subsection (b), adopt part of one (1) or more
12 proposed rules described in subsection (a)(2) in two (2) or more
13 separate adoption actions; or
14 (4) subject to subsection (b), adopt a revised version of a
15 proposed rule published under section 24 of this chapter and
16 include provisions that did not appear in the published version.
17 (b) An agency may not adopt a rule that substantially differs from

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1 the version or versions of the proposed rule or rules published in the
2 Indiana Register under section 24 of this chapter, unless it is a logical
3 outgrowth of any proposed rule as supported by any written comments
4 submitted during the public comment period.

5 **(c) The adoption of a rule by a board (as defined in**
6 **IC 13-11-2-17(a)) is subject to IC 13-14-9-2.5.**

7 SECTION 2. IC 13-14-9-2.5 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2003]: **Sec. 2.5. If a proposed rule imposes a restriction or**
10 **requirement on a person to whom the proposed rule applies that is**
11 **not imposed under federal law, a board may not adopt the**
12 **proposed rule under this chapter before the proposed rule is**
13 **reviewed by the environmental quality service council.**

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